

quest and receive the assistance of assigned VISTA volunteers in any local antipoverty program or activity that is of a character eligible for assistance under the act. It would no longer matter whether the program had a Federal connection or was, in fact, supported under another provision of the act.

This bill will, I think, better permit VISTA to fulfill the purposes for which it was created. Volunteers do of course work in existing community action programs and in a wide variety of other federally supported projects. But from the outset it was also the intention of Congress that volunteers should often be the first assault wave in the war on poverty. They should work in communities that have not yet developed community action programs. They should work with the people who have not yet articulated their needs and who have not yet planned a concerted attack on their problems. VISTA volunteers should serve, with the Indians and communities of my State and with the disadvantaged throughout this land, as sources of encouragement and knowledge, as catalysts to help the impoverished develop their own programs for the conquest of poverty.

In many cases, therefore, VISTA volunteers should be assigned to communities before the communities have received any other Federal assistance or established any other Federal tie. The bill now before us would make it clear that the law both permits and intends this.

SENATOR RANDOLPH SUPPORTS ECONOMIC OPPORTUNITY AMENDMENTS OF 1965—LISTS PROJECTS IN WEST VIRGINIA

Mr. RANDOLPH. Mr. President, probably tomorrow Senate Members will vote on the Economic Opportunity Amendments of 1965, a bill to expand the effort against poverty and to enhance the effectiveness of the Economic Opportunity Act of last year.

This vital legislation will provide worthwhile work projects, training, and employment for the needy persons in the United States. The Senator from Michigan [Mr. McNAMARA] has congenitally pointed out for us the many nationwide accomplishments of this program during the first 9 months of operation. It is truly an impressive record.

Assuredly, no person believes that this one program is the panacea for all the problems of those low-income families and single individuals who do not enjoy the benefits of our affluent society. There has been a commendable beginning in the efforts to eradicate the ancient enemies of poverty, ignorance, and disease, adversaries which, if allowed to thrive will continue to lay waste the vital manpower of our Nation. The past year has seen significant progress toward a better tomorrow and a more meaningful life for the American citizen.

We cannot deny that there have been problems—yes, even mistakes—during this initial year but we must remember that the Office of Economic Opportunity has faced the monumental tasks of recruiting and organizing a staff, formulating the programs, and developing regulations.

This is a progressive and coordinated plan to attack the roots of poverty and as such there would undoubtedly be problems and controversies. However, when weighing the constructive assistance rendered to our people, the balance sheet shows meaningful success. The critics cannot overshadow these accomplishments. I am reminded of the words of Theodore Roosevelt:

It is not the critic who counts . . . the credit belongs to the man who is actually in the arena; whose face is marred by dust and sweat and blood; who strives valiantly.

The Office of Economic Opportunity, our States, our communities, and individual citizens are in the arena fighting the war on poverty. We again have the opportunity to assist in this battle. We are continuing to strive—and to do the task.

In West Virginia we moved rapidly when the Economic Opportunity Act, which I cosponsored, became law last August. In the first 9 months of the war on poverty, West Virginia has been allocated \$21.4 million in Federal funds. That sum has been approved for programs to provide direct assistance to more than 40,000 of the State's neediest persons.

Our State has been especially active in four classifications of the antipoverty program:

Project Head Start for preschool children, with 18,502 enrolled and all counties participating.

Job Corps for remedial and vocational education, with more than 8,400 young persons between 16 and 21 saying that they want to enter the program.

Work experience program for educational services and counseling to the 10,000 men in the State work and training program and 2,000 women receiving aid to dependent children. The State received its largest single grant—11.8 million, or more than half of the entire total of all allocations—for expenditures in this classification.

Volunteers in Service to America—VISTA—or Domestic Peace Corps, has a program approved for the State department of mental health. A total of 168 volunteers are to work in a four-stage program in State hospitals and in the field to provide a variety of badly needed services.

The allocation of Federal funds for nine classifications under the Economic Opportunity Program includes:

Neighborhood Youth Corps, \$3,465,204; college work-study, \$295,507; community action programs, \$1,456,358; program development projects, \$342,396; Project Head Start, \$2,875,573; Economic Opportunity Agency, \$84,015; adult basic education, \$233,391; rural loans, \$874,840; and work experience program, \$11,848,400.

It should be noted that this report covers a less-than-9-month period, ending June 30, and includes all allocations since they were first authorized by Congress.

Since June 30, an additional \$307,096,000 has been approved for remedial reading programs in three counties.

Governor Hulett Smith recently stated:

We have had some failures, as well as these successes. The program has been at a standstill in the

State. However, staff members are working with West Virginia University and Federal officials on the incentive program and a sound and workable proposal has been submitted.

I feel this record is truly indicative of the work which can be accomplished through this comprehensive program. West Virginians are cooperating in this record and on behalf of the citizens of our Mountain State I have given my support to the Economic Opportunity Amendments of 1965 and to future endeavors under this essential program.

In the Labor and Public Welfare Committee, during hearings and consideration of the testimony of qualified witnesses, I have been convinced that carping criticism cannot tear down this worthwhile program. I continue my strong support of the measure—and the mission on which we are committed.

EXPANSION OF MEAT EXPORT INDUSTRY

Mr. DIRKSEN. Mr. President, now, as never before, the United States faces an opportunity to expand its meat export industry and on a long-range basis.

The market for beef in the United Kingdom and Europe is constantly growing. At the same time, their traditional major beef supplier, the Argentine, seems to be facing disaster in its own beef export efforts.

I ask unanimous consent to have printed at this point in the RECORD an excerpt from the August 9 issue of Foreign Agriculture, USDA publication.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

ARGENTINE BEEF EXPORTS DROP SHARPLY

Increases in cattle prices since late June in Argentina, the result of greater domestic demand for beef, have led packers to greatly reduce operations and to buy only token quantities for export. Steer prices reached the equivalent of about 20 U.S. cents per pound in mid-July.

Government measures to discourage domestic consumption and to directly stimulate exports have not halted the decline in shipments. These measures include the establishment of 2 beefless days a week, the requirement that steers from 900 to 1,055 pounds be sold only for export, and the granting of tax benefits to exporters to help offset the price differential between foreign and domestic markets.

Argentine beef exports during January-May 1965 were about 30 percent less than in the same period of 1964 and may decline still further unless means are found to make exports more profitable.

Mr. DIRKSEN. The same publication, elsewhere in the same issue, and many others have more than confirmed the fact that Europe's meat shortage is a real one; that, because of the inability of the Argentine to supply the needs, a "vacuum" is developing rapidly in the European and the United Kingdom meat markets.

I am not unaware of the fact that the present administration has been making some moves, in conjunction with the American Meat Institute, to expand the market for American meat and meat products in the United Kingdom and on the European continent.

At the same time, however, our own beef and meat industries face various complex problems in seeking, fully

August 17, 1965

and on a long-range basis, to exploit this European meat "vacuum" where, heretofore, the Argentine had always reigned supreme.

For example, the price differential between costs for U.S. meat and that in Europe must be solved. Our high labor rates here contribute to create this price differential.

Nonetheless, if the reports are accurate, the Argentine at present seems to be doing little or nothing to restore its preeminent place in the European meat markets.

In the United States we have the potential to produce vast quantities of beef—to turn our grain surpluses into meat—to tailor this product to fit the appetites and desires of the British and European markets.

I do not feel that, at present, the administration may be doing enough to exploit these potentials on a long-term basis. Nor do I believe, from the reports one receives, that the Argentine Government seems to realize the extent to which it is rapidly losing its traditional European markets.

In fact, if these reports are accurate, the Argentine Government, rather than trying to help its meat industry, actually seems to be penalizing it by new export taxation and by other unrealistic measures. This seems strange when most nations go out of their way to subsidize and otherwise to help their major earners of foreign exchange.

Nonetheless, that is the problem of the Argentine. It may well become a problem of the U.S. Government, as well when the foreign aid policy is reviewed. We may face a vicious cycle. For, when the Argentine cannot export meat and earn foreign exchange, ultimately it may mean more and more aid.

That, however, is not my thesis of the moment. Rather, I plan to recommend that the Congress hold a full-scale investigation into ways-and-means of expanding the United Kingdom and European markets for our American realistic means for helping g beef; that we consider practical and realistic means for helping the Department of Agriculture, the American Meat Institute, the American National Cattle-men's Association and all others interested in taking advantage of this opportunity on a truly long-range basis.

For, in view of the reports from the Argentine where, I am informed, virtually its entire beef export industry is paralyzed, some nation will move into that "vacuum" of meat markets in Europe. Why should not the United States, with our ample supplies and even more ample production potentials, do so?

I will welcome the views of my colleagues in this regard so that we might, together, move forward and expand beyond the somewhat limited efforts which the present administration, however laudable, already has undertaken.

I ask unanimous consent to have printed at this point in the RECORD an article entitled "Europe Buying More Beef," by L. H. Simerl, published in the State Journal-Register, of Springfield, Ill., August 15.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EUROPE BUYING MORE BEEF

(By L. H. Simerl)

A couple of years ago our cattlemen became alarmed about the rapid increase in imports of meat. Since that time imports have been reduced sharply, and many stockmen have become interested in finding overseas markets for their own beef. They will doubtless be interested in some recent comments by E. E. Broadbent, professor of livestock marketing at the University of Illinois.

Broadbent recently returned to the campus after studying livestock marketing for several months in foreign countries. He reports that there is a growing shortage of beef in Western Europe. The shortage arises from greatly increased consumer demand for beef and from a shrinkage in the amounts supplied from former sources.

STRONGER DEMAND

Demand is increasing because of the high level of employment and rising wages. At the same time the formerly large flow of beef from South America to Europe has diminished.

Most countries in Western Europe have been enjoying nearly full employment and rising wages. Increases in buying power per person often exceed the rate in the United States, but population growth is slower.

West Germany is the major importer of beef in Western Europe. Shipments in the country during the first half of this year were equivalent to 407,000 head of cattle, 28 percent more than the year before. Most of this increase came from Australia and the United Kingdom.

Less beef from South America. Exports of beef from Argentina totaled about 147,000 tons during the first half of 1965, 28 percent less than last year. Exports from Uruguay were also lower. Most European observers do not expect any quick recovery in the flow of beef from South America to Europe.

Australia ships more. The Australians have greatly increased their shipments of beef to the West European markets. They have established meat market expeditors in Europe. Their prime targets are restaurants, hotels, and institutional meat users.

New Zealand continues to ship a large proportion of her beef exports to Europe. The United Kingdom has become the third largest supplier of beef to West Germany.

European buyers want lean beef. Broadbent observers that most of the beef produced in U.S. feedlots is too highly finished to please European buyers. They want and use beef that is about like our typical standard and commercial grades. The best of their beef is similar to our Good grade.

Prices for these grades of beef recently were 2 to 4 cents a pound higher in the Common Market countries than in Chicago. This difference is not enough to pay transportation costs from our packing centers to the European markets.

Prices of our standard grade of cattle recently were around \$22 a hundred pounds, 27 percent higher than a year before. This rise puts our beef in an even less favorable position to compete with other supply sources.

AMENDMENT OF THE NATIONAL FIREARMS ACT AND THE FEDERAL FIREARMS ACT—REFERRAL OF BILL

Mr. MAGNUSON. Mr. President, on March 22 of this year, the Senator from Connecticut [Mr. Dodd] introduced two bills, S. 1591 and S. 1592, which respectively amended the National Firearms

Act and the Federal Firearms Act. Although S. 1592 would normally have been referred to the Committee on Commerce it was, at Senator Dodd's request, with unanimous consent of the Senate, referred to the Judiciary Committee. Subsequently, all other measures pending before the Commerce Committee relating to firearms were referred to the Judiciary Committee to enable the latter to fully examine and have the benefit of all avenues of approach concerning firearms control which were embodied in legislative proposals. Referral of these measures to the Judiciary Committee prior to their coming to the Commerce Committee was considered desirable for several reasons. It was felt that because issues of a constitutional nature were raised concerning these bills that the Senate should have the benefit of the recommendations of the Judiciary Committee. In addition, the Subcommittee on Juvenile Delinquency, to which these bills were referred by the Judiciary Committee, has conducted extensive investigations on the subject of the firearms problem. It has kept abreast of the problem since 1959 and commenced a full-scale investigation in 1961. As a result of its long and exhaustive study, it issued in the closing weeks of the last session an interim report. Referral of the present bills was also intended to enable the Juvenile Delinquency Subcommittee to finalize its recommendations—which the Commerce Committee now anxiously awaits.

On August 10, the House passed H.R. 9570, a bill to authorize the Secretary of the Treasury to relieve applicants from certain provisions of the Federal Firearms Act if he finds such relief would not be contrary to the public interest. The provisions of H.R. 9570 are similar, and identical in purpose, to section 6 of S. 1592. Since S. 1592, as well as all other measures affecting firearms, was referred to the Senate Judiciary Committee, it seems to me appropriate that H.R. 9570 should be similarly referred.

Mr. President, in light of the foregoing, I ask unanimous consent that H.R. 9570 be referred to the Judiciary Committee under the same terms and conditions as those which have previously been referred.

The conditions previously referred to are that if and when the Committee on the Judiciary came to some conclusion on the question, the bill or bills would be referred back to the Senate Committee on Commerce for a perusal by that committee. It may not be that the committee would need to look at the bills for a long time. Perhaps it would not wish to hold hearings or anything like that. The bill to which I have referred would be referred under the same agreement.

Mr. President, I ask unanimous consent that the bill H.R. 9570 be referred to the Judiciary Committee under the same terms and conditions as those which have previously been referred.

The PRESIDING OFFICER. (Mr. RUSSELL of South Carolina in the chair). Is there objection?

Mr. ALLOTT. Mr. President, reserving the right to object—and I shall not

object—many of us, as the distinguished Senator from Washington knows, have a vital interest in the proposed legislation. Since the distinguished chairman of the Committee on Commerce has explained the terms and conditions under which the bill will be referred to the Judiciary Committee, I have no objection. But I hope that the action will not be taken on merely a cursory level by the Commerce Committee. The bill is one of the most important pieces of proposed legislation pending before the Congress.

If S. 1592, to which the distinguished Senator from Washington referred, had been passed in its original form, the rights of the people of the United States to have firearms to protect themselves would be seriously impaired. So I am glad to have the Senator's assurance; and I shall, therefore, not object.

Mr. MAGNUSON. I thank the Senator from Colorado.

THIRTIETH ANNIVERSARY OF THE MOTOR CARRIER ACT

Mr. MAGNUSON. Mr. President, I salute the men of vision whose foresight 30 years ago today made the Motor Carrier Act a part of the law of the land.

This outstanding piece of legislation was endorsed by the American Railway Association, the American Trucking Association, the National Association of Motor Bus Operators, the Interstate Commerce Commission, and the National Association of Railroad and Utilities Commissioners.

The transportation industry was in dire straits in 1935. The report of the Senate Committee on Interstate and Foreign Commerce filed on April 11, 1935, found:

Competition has been carried to an extreme which tends to undermine the financial stability of the carriers and jeopardizes the maintenance of transportation facilities and service appropriate to the needs of commerce and required in the public interest. The present chaotic transportation conditions are not satisfactory to investors, laborers, shippers, or the carriers themselves.

This legislation has proved to be a milestone in giving to this country an outstanding transportation network developed by private enterprise which has served the Nation well during time of war and the public during time of peace.

In 1935, at the time of the enactment of the Motor Carrier Act, the operating revenues of motor carriers of property was estimated to be about \$500 million. Today, motor carrier revenues are in excess of \$9 billion. In 1938, rail revenues were below \$4 billion; today they are in excess of \$10 billion.

I especially wish to salute those members of the Senate Interstate and Foreign Commerce Committee who are still active—Burton K. Wheeler, then chairman of the committee; President Harry S. Truman, who served as a member of the committee from 1935 to 1945; two members from my own State, C. C. Dill, who served on the committee from 1923 to 1935, and was its chairman during 1933 and 1934, and Homer T. Bone, my

predecessor who served on the committee from 1935 to 1944; and a member from the other side of the aisle, Daniel O. Hastings, who served from 1930 to 1937. There are many, many others whose names I could mention who ably served on the committee during the deliberations on this legislation.

I also wish to salute those still active industry leaders who played an important role in urging enactment of this law, Chester T. Moore, John Lawrence, Jack Keeshin, and Clint Reynolds from my own State. There are many others I would wish to single out if time permitted.

The committee has written to many of these able leaders and has received their thoughts and comments on this landmark legislation. There will soon be available to the Members of the Senate a brief collection of some of their remarks.

After 30 years of demonstrated durability, the Motor Carrier Act has proved to be an indispensable part of our national transportation regulatory system. In closing I would like to quote from a recent letter written by Ed Johnson, who ably served as committee chairman, and member of the committee for 18 years:

I know of no single statute on our books that did quite so much for American transportation or business progress generally as did the Motor Carrier Act of 1935. I am happy that you are observing this anniversary. It is one of the red letter days of American progress.

THE FEDERAL CIGARETTE LABELING ACT

Mr. MAGNUSON. Mr. President, last Tuesday, President Johnson signed S. 559, the Federal Cigarette Labeling Act. It is now the law of the land. By January 1 of next year, under its terms, each and every cigarette package will bear in a conspicuous place the warning "Caution: Cigarette Smoking May Be Hazardous to Your Health."

This is a good time to take a look at what else this act does and, equally important, what it does not do.

A smoke screen of misinformation has shrouded this bill for the past several weeks. As a result, many of those who have long demanded strong cigarette labeling and advertising legislation have now, themselves, been labeled pawns of the tobacco lobbyists.

The distinguished Senator from Oregon [Mrs. NEUBERGER], perhaps the most outspoken and courageous advocate of strong cigarette control legislation, has been attacked on the pages of the New York Times because she refused to demand a Presidential veto of the cigarette bill.

Mr. Emerson Foote is chairman of the Interagency Council on Smoking and Health, representing the major voluntary health associations in the United States in their effort to secure strong and meaningful cigarette legislation. He had resigned as chairman of the board of the largest advertising agency in the United States because he objected to his

firm's accepting cigarette advertising. He has since donated his time and his distinguished talents to the interagency council because he and members of the council, including the Cancer Society and the Heart Association, among others, have concluded that the Cigarette Labeling Act represents a significant step forward. Yet, he has been attacked not only for "bad judgment" but also for "bad faith."

The Cigarette Labeling Act is far from perfect legislation. It necessarily reflects a compromise of widely, even violently, divergent views both in the House and in the Senate. The labeling bill, in the form in which I introduced it, would have left the Federal Trade Commission free to implement its rule requiring warnings both in advertising and on the package. Many Senators and a large majority of the Members of the House believed that the Commission should never have this power.

As the bill finally emerged from the Senate-House conference, a compromise had been fashioned on this issue, in effect suspending the Commission's order for 3½ years from the effective date of the act.

Three and one-half years is not what we who sought strong legislation wanted—nor is it what those who sought mild legislation wanted.

In reaching the compromise on the FTC's cigarette rule, our committee took great pains to preserve the substance of the Federal Trade Commission's authority to regulate cigarette advertising. Both in the committee report and during the Senate debate, we made it clear that the Trade Commission would retain the power and the responsibility to restrict any advertising which "tends to negate the warning which must be placed on the package."

The Trade Commission, in implementing the new act, has now issued a strong statement acknowledging its continuing authority to police cigarette advertising. The FTC thereby served notice that it will proceed against any cigarette advertisements "which negate, contradict or dilute the cautionary statement on the packages."

Those who criticized the President for signing the bill argued that in the absence of legislation, the Trade Commission rule would have taken immediate effect and that from this day forward every package and every advertisement would have carried a warning. The Washington Post complained that while all packages must now bear a warning by January 1, of next year, "the public, on the other hand, would doubtless have been more adequately warned much earlier had the Congress not acted."

But Chairman Paul Rand Dixon, of the Federal Trade Commission, testifying before the Commerce Committee, was asked how long it would take to enforce the Commission's rule. This was his answer:

Any member (cigarette company) that this rule would affect could pick any district court in the United States of America and start there to challenge the basic authority of the Commission to issue a trade regulation rule.

August 17, 1965

From there, the circuit and Supreme Court. If approved, then we would still have to make the rule effective by a lawsuit. We would then have to sue a party that would say, "All right, now you have proved it, but that doesn't mean anything. I don't have to stop until I get the order."

So, then, we would have to start one case at a time, noticing the rule, perhaps, and speeding that procedure up. If we could do all of that in 4 years, it would be rather miraculous.

Mr. President, I fail to see how a 4-year lawsuit could warn the public of the hazards of smoking more adequately or much earlier than a warning on every package by next January 1.

The significance of the Federal Cigarette Labeling Act extends far beyond the imposition of the warning. In taking affirmative action, Congress has placed its stamp of approval upon the Surgeon General's verdict that "Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action."

The significance of this fact has not been lost on the advertising industry. An editorial in *Advertising Age* for May 31, 1965, cautioned the advertisers that the cigarette labeling bill represented a serious setback for them:

Of greater import for the long run than the question of FTC's jurisdiction is the portion of the report (Senate report) which represents committee acceptance of the findings of the U.S. Surgeon General. The warning on the package may or may not scare customers but the legislation involves a unique burden of its own. This is the first time that Congress has said, by legislation, that a product in such general use is so hazardous that it must carry a prescribed warning legend.

As the President signed the cigarette bill, the White House announced that the President had concluded "that the benefits of the bill far outweighed any deficiencies and disadvantages" and that the bill "makes a real contribution to the effort to bring to the attention of all smokers, and potential smokers" the date "indicating the health hazards involved in cigarette smoking."

This view is shared by the people most intimately and directly concerned with the health of the American people. A letter sent to me by Emerson Foote, as chairman of the Interagency Council, sets forth the views of the council and its constituent agencies in support of the legislation. They, as I, would have preferred legislation which did not suspend the Trade Commission's rule for 3½ years, but they concluded, as I have concluded and as the President concluded, that the Federal Cigarette Labeling Act represents a positive and an historic step forward.

I ask unanimous consent that the letter from Mr. Foote addressed to Representative Moss and the order of the Federal Trade Commission be printed at this point in the Record.

There being no objection, the letter and order were ordered to be printed in the Record, as follows:

NATIONAL INTERAGENCY COUNCIL
ON SMOKING AND HEALTH,
Bethesda, Md., July 26, 1965.

Hon. JOHN E. MOSS,
House of Representatives,
Washington, D.C.

DEAR MR. MOSS: I am in receipt of your letter of July 21.

The decision of the National Interagency Council on Smoking and Health to support S. 559, as amended, was taken—unanimously—at a meeting of the board of directors of the council held in Washington on July 8.

On Wednesday, July 21, following your telephone call, a telegram from Representative BOLLING and a telephone call from Mr. Peter Edelman of Senator ROBERT F. KENNEDY's office, I took a poll by telephone of each member of the executive committee of the National Interagency Council. Fortunately, I was able to reach all members of the executive committee within 2 hours.

For your information, the members of the executive committee of the council and the organization they represent are:

Dr. Harold S. Diehl, vice chairman, National Interagency Council on Smoking and Health; senior vice president for research and medical affairs and deputy executive vice president, American Cancer Society.

Dr. Eugene H. Guthrie, secretary, National Interagency Council on Smoking and Health; Chief, Division of Chronic Diseases, U.S. Public Health Service.

Dr. George E. Wakerlin, medical director, American Heart Association.

Dr. James E. Perkins, managing director, National Tuberculosis Association.

Mrs. Katherine B. Oettinger, Chief, U.S. Children's Bureau.

Dr. William Ellena, associate secretary, the American Association of School Administrators.

I am also a member of the executive committee of the council.

The views expressed by yourself, Representative BOLLING and Senator KENNEDY were thoughtfully considered by each member of the executive committee. None felt that we should ask the President to veto S. 559; all feeling that a veto would prove a disservice to the great number of Americans who are presently suffering and dying from the effects of cigarette smoking.

We therefore unanimously concluded not to ask for a veto, holding to the position taken previously by the full board of directors of the council.

You state in your letter "every objective called for in your petition to the Congress would be achieved through veto."

I am devoting my full time to the fight against cigarettes and cigarette interests and I believe this statement of yours is totally in error. So do the officers and directors of the National Interagency Council on Smoking and Health.

I heard Mr. Paul Rand Dixon testify that he expected the application of FTC warnings in cigarette advertising would be delayed for 4 years in the courts.

We believe that S. 559 can be amended to include a warning in advertising, and otherwise strengthened, much before 4 years have elapsed.

In other words, after the most careful deliberation it was, and is, the opinion of the National Interagency Council on Smoking and Health, as we have frequently said, that some kind of a bill against cigarettes is better than no bill at all.

While in your letter you state that you doubt both our good faith and our judgment, we have no doubt of your good faith or your desire to reduce cigarette consumption.

Therefore, we expect you to fight for the amendment of S. 559—to strengthen its power to reduce cigarette consumption—at the earliest practicable opportunity.

Sincerely,

EMERSON FOOTE,
Chairman.

VACATION OF WARNING REQUIREMENTS IN
TRADE REGULATION RULE CONCERNING AD-
VERTISING AND LABELING OF CIGARETTES

On June 22, 1964, the Commission, pursuant to its statutory procedures, issued a trade regulation rule which required, in effect, that after January 1, 1965, all packs and other containers in which cigarettes are sold to the public contain an affirmative warning that cigarette smoking is dangerous to health and may cause death from cancer and other diseases, and that after July 1, 1965, all cigarette advertising contain a like warning. On July 27, 1965, the Federal Cigarette Labeling and Advertising Act (hereinafter called the Labeling Act) was enacted into law. This act requires that, effective January 1, 1968, every package of cigarettes must display the following statement conspicuously and legibly: "Caution: Cigarette Smoking May Be Hazardous to Your Health." It also provides that (1) no different statement relating to smoking and health shall be required on any cigarette package, and (2) for a period terminating on July 1, 1969, no such statement shall be required in the advertising of any cigarettes the packages of which are labeled in conformity with the provisions of the act.

It is important to set forth in what respects the Labeling Act limits the Commission's authority in the field of cigarette advertising, and in what respects the Commission's existing powers and responsibilities in this area remain unimpaired.

Under the Labeling Act the Commission, for a period terminating July 1, 1969, may not require an affirmative statement relating to smoking and health in cigarette advertising. Congress has determined that any imposition of such a requirement should be delayed to permit the effectiveness of other remedies, including the cautionary statement on cigarette packages, to be evaluated.

The act, however, does not purport to question or overrule, and is consistent with, the basic factual findings and conclusions of the Commission contained in the statement of basis and purpose of the trade regulation rule. The Senate Committee on Commerce, after reviewing the principal findings of the Surgeon General's Advisory Committee on Smoking and Health, and noting that "no prominent medical or scientific body undertaking a systematic review of the evidence has reached conclusions opposed to those of the Surgeon General's Advisory Committee" (S. Rept. No. 195, 89th Cong., 1st sess., p. 3), concurred in the judgment of the Advisory Committee that "Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action." See also 111 CONGRESSIONAL RECORD, 15033 (daily ed., July 6, 1965) (remarks of Senator MAGNUSON, sponsor of the Senate bill). It also agreed that cigarette manufacturers are under a duty to the public to disclose the health hazards of cigarette smoking (S. Rept., p. 3): "[T]he committee is convinced that too many Americans, particularly teenagers, are unaware of the extent of the potential hazard in smoking and that these people will not be con-

¹ On Sept. 3, 1964, the Commission amended the trade regulation rule to extend such effective date to July 1, 1965.